

Effective 5/13/2014

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53A-1a-510.5 Charter school closure.

- (1) If a charter school is closed for any reason, including the termination of a charter in accordance with Section 53A-1a-510 or the conversion of a charter school to a private school, the provisions of this section apply.
- (2)
 - (a) As soon as possible after the decision is made to close a charter school, notification of the decision, in writing, shall be provided by the charter school to:
 - (i) its charter school authorizer;
 - (ii) the State Charter School Board;
 - (iii) the State Board of Education;
 - (iv) parents of its students;
 - (v) its creditors; and
 - (vi) the school district in which the charter school is located and other charter schools located in that school district.
 - (b) The notification under Subsection (2)(a) shall include:
 - (i) the proposed date of school closure;
 - (ii) the school's plans to help students identify and transition into a new school; and
 - (iii) contact information for the charter school during the transition.
- (3) A closing charter school shall:
 - (a) present a school closure plan to its authorizer as soon as possible after the decision to close is made;
 - (b) designate a custodian for the protection of student files and school business records;
 - (c) maintain a base of operation throughout the charter school closing, including:
 - (i) an office;
 - (ii) hours of operation; and
 - (iii) operational telephone service with voice messaging stating the hours of operation;
 - (d) maintain insurance coverage and risk management coverage throughout the transition to closure and for a period following closure of the charter school as specified by the authorizer;
 - (e) complete a financial audit immediately after the decision to close is made;
 - (f) inventory all assets of the charter school;
 - (g) list all creditors of the charter school and specifically identify secured creditors and assets that are security interests; and
 - (h) protect all school assets against theft, misappropriation, and deterioration.
- (4)
 - (a) Any assets held subject to written conditions or limitations in accordance with Section 53A-1a-517 shall be disposed of in accordance with those conditions or limitations.
 - (b) All liabilities and obligations of the closing charter school shall be paid and discharged or adequate provisions shall be made to discharge the liabilities and obligations to the extent of the closing school's assets.
 - (c)
 - (i) The remaining assets shall be returned to the closing charter school's authorizer.
 - (ii) The authorizer may liquidate assets at fair market value or assign the assets to another public school.
- (5) To the extent possible, all leases, service agreements, and other contracts not necessary for the transition of the closing charter school should be terminated.

- (6) The closing charter school shall submit all documentation required by its authorizer, including documents to verify its compliance with procedural requirements as well as satisfaction of all financial issues.
- (7) When the closing charter school's financial affairs are closed out and dissolution is complete, the authorizer shall ensure that a final audit of the charter school is completed.
- (8) The State Board of Education may make rules that provide additional closure requirements upon charter schools or that specify elements of charter school closure plans.